DETAILED ACTION

1. This office action is in response to the Amendment filed on 01/05/2010 with acknowledgement of an original application filled on 04/06/2006.

Response to Arguments

2. Applicant's arguments filed with respect to **claims 1** have been fully considered but they are not persuasive. In the Remarks, Applicant argues that **(1) Humpleman** fails to teach or suggest making at least one request to each of the IP addresses and **(2)** there are no teachings or suggestions in Humpleman of an HTTP request to an IP address.

3. With regards to argument **(1)**, the Examiner respectfully disagrees noting that **Humpleman** teaches using the IP address contained in the device list file to obtain the Properties file from each home device **(paragraph [0100])**. The IP address is used to request the file. Since the device list contains the IP address of each of the device, each device is contacted (using each IP) in order to obtain its properties file.

4. With regards to argument **(2)**, the Examiner respectfully disagrees noting that **Humpleman** teaches devices communicating through a 1394 serial bus using HTTP/IP **(paragraph [0052])**, therefore, the request being sent would

inherently use HTTP. **Humpleman** also teaches each device, conforming with and using HTTP internet standards, to send its files **(paragraph [0058])**, further supporting a request using HTTP requests, in order to invoke an HTTP reply in sending of files.

5. Applicant's remarks regarding the 101 rejection is noted but is not persuasive, see rejection below.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 7-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

3. Claim 7 are directed towards a computer-readable medium. Since, the specification does not explicitly limit said computer-readable medium to a statutory category (specification, paragraph [0019] as cited by applicant on amendment file on 01/05/2010), the broadest reasonable interpretation of the claim is used and covers forms of non-transitory tangible media and transitory propagating signals per se. Therefore, the claims are rejected under 35 U.S.C. §

101 as covering non-statutory subject matter. *See In re Nuijten, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter)*

4. Dependent claims 8-12 do not further limit the scope of the claimed invention into a statutory category and are rejected as covering non-statutory subject matter.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by Humpleman et al. (US 2001/0038392 A1), hereinafter "Humpleman".

7. As to amended claim 1, **Humpleman** teaches a method **(abstract and paragraph [0153])** comprising:

providing an IP address to each of one or more devices located within the home network **(paragraph [0084], "each home device is associated with a unique IP address")**;

making at least one HTTP request to each of the IP addresses **(paragraph [0090] all IP address are obtained, [0100], using the IP address of each device to obtain the Properties file and the URL and paragraph [0052], via shared bus using HTTP)**;

receiving information from a HTML page on each of the devices (**paragraph [0015], lines 6-8 and [0016]**); and

generating a web page containing the received information **(paragraph [0106])**, wherein the web page is accessible from the remote device in response to a request from the remote device to the service discovery device **(paragraph [0153])**, and wherein the generated web page includes a list of links to device web pages for each of the devices located within the home network, the list of links being able to be actuated from the remote device, enabling a user to control each of the devices **(paragraph [0098])**.

8. As to claim 2, **Humpleman** teaches the method of claim 1, further comprising recording the received information on the service discovery device **(paragraph [0015], lines 6-9)**.

9. As to claim 3, **Humpleman** teaches the method of claim 1, further comprising, upon one of the links being actuated on the remote device, generating a device web page corresponding to the actuated link **(paragraph [0098])**, accessible from the remote device, and wherein actuation of content on

the device web page results in manipulation of the respective device **(paragraph [0060], lines 15-20)**.

10. As to claim 4, **Humpleman** teaches the method of claim 1, further comprising:

receiving a MAC address for each of the devices within the home network *(it is inherent that MAC address is used to map each machine to its predefined/static IP address. This is well known in the art as "static DHCP")***(paragraph [0086])**; and

using the received MAC addresses to update the list of links on the web page when a change occurs regarding the devices within the home network **(paragraph [0085])**.

11. As to claim 5, **Humpleman** teaches the method of claim 4, wherein the change includes the addition of a new device to the home network **(paragraph [0085])**.

12. As to claim 6, **Humpleman** teaches the method of claim 4, wherein the change includes the removal of a device from the home network **(paragraph [0085])**.

13. As to amended claim 7, **Humpleman** teaches a computer program product, embodied on a computer readable medium **(paragraph [0075], software programs, and [0163], memory storage)**, comprising:

The remaining limitation of computer program product claim 7 corresponds to method claim 1 and is rejected under the same rationale.

14. As to claim 8, computer program product claim 8 corresponds to method claim 2 and is rejected under the same rationale.

15. As to claim 9, computer program product claim 9 corresponds to method claim 3 and is rejected under the same rationale.

16. As to claim 10, computer program product claim 10 corresponds to method claim 4 and is rejected under the same rationale.

17. As to claim 11, computer program product claim 11 corresponds to method claim 5 and is rejected under the same rationale.

18. As to claim 12, computer program product claim 12 corresponds to method claim 6 and is rejected under the same rationale.

19. As to amended claim 13, **Humpleman** teaches an apparatus **([0060], browser based client)**, comprising:

at lease one processor *(it is inherent that the server, a home device, must have a processor in order to perform its' functions as disclosed)* **(paragraph [0060])**; and

at lease one memory *(it is inherent that the server, a home device, must have a memory unit in order to perform its' functions as disclosed)* **(paragraph [0060])**, including program code, the at lease one memory and the computer program code configured to, working with the at lease one processor, cause the apparatus to:

The remaining limitation of device claim 13 corresponds to computer program product claim 7 and is rejected under the same rationale.

20. As to amended claim 14, apparatus claim 14 corresponds to computer program product claim 8 and is rejected under the same rationale.

21. As to amended claim 15, apparatus claim 15 corresponds to computer program product claim 9 and is rejected under the same rationale.

22. As to amended claim 16, apparatus claim 16 corresponds to computer program product claim 10 and is rejected under the same rationale.

23. As to amended claim 17, **Humpleman** teaches a system, comprising:

a remote electronic device *(it is inherent that there must exist a remote electronic device in order to remotely interact with home devices through the internet)* **(paragraph [0152]-[0154])**;

a home network including at least one home network device **(fig. 1 element 108)** and a service discovery device **(fig. 1 element 102)**, the service discovery device including:

The remaining limitation of system claim 17 corresponds to computer program product claim 7 and is rejected under the same rationale.

24. As to amended claim 18, system claim 18 corresponds to computer program product claim 9 and is rejected under the same rationale.

25. As to amended claim 19, system claim 19 corresponds to computer program product claim 10 and is rejected under the same rationale.

6. As to amended claim 20, **Humpleman** teaches the system of claim 17, wherein the service discovery device is located within an access point **(paragraph [0087], lines 7-8)**, the access point being in communication with both the remote device and the at least one home network device **(paragraph [0153])**.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to continue to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Thai whose telephone number is (571)270-7531. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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